

REMARKS/ARGUMENTS

Claims 1-12 are pending in the application, claims 13-22 having previously been withdrawn, without prejudice, pursuant to a restriction requirement.

Applicant has considered the arguments presented in the Office Action and submits that the Applicant's invention defines patentable subject matter over the cited prior art. Applicant has reviewed the claim language, in particular with respect to the invention recited in claim 1, and has amended claim 1 to more particularly and distinctly articulate the Applicant's present invention, and to distinguish the invention over the cited art. No new matter has been introduced.

Claims 1, 2 and 9-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ketelhohn (US 5,002,616). This rejection is respectfully but strenuously traversed and reconsideration and a withdrawal of the rejection is hereby respectfully requested.

Applicant's invention is not anticipated by, nor is it obvious in view of, the cited Ketelhohn reference. Ketelhohn does not provide for adjusting in the manner of Applicant's invention. Ketelhohn's adjustment appears to be limited to the thickness of the workpiece and play in the vertical slot (40). Furthermore, the play is discussed in the form of using flexible portions at the ends, and not providing the adjustable carrier and structural component as disclosed and claimed by Applicant (see Ketelhohn col. 4, line 16-19). Applicant has more particularly distinguished the present invention to define the at least one adjusting device, including a carrying frame and furthermore to point out that the adjusting device is operable to raise or lower in a substantially vertical direction and/or pivot the carrying frame. Ketelhohn does not - unlike the present invention --

(actively) generates but just (passively) allows for such adjustment. The relationship between the structural component and carrying frame is also articulated in claim 1.

Applicant recites that such structural component is operably held by the carrying frame.

For these reasons, the Applicant's invention is distinguishable over the cited reference and should be patentable.

Ketelhohn does not provide the correspondence of structure and function recited by the Applicant's present invention. The lack of correspondence is shown by considering that at least one adjusting device in the present invention is operated to raise or lower the structural component in a substantially vertical direction and/or pivot the structural component. In Ketelhohn, if the adjusting device is considered to be the slot (40) of the bearing on which it is mounted (41), the side rail (37) and bearing (41) and slot (40) are not disposed to move as the carrier of the Applicant's claimed invention would move. If that were the case, and the bearing (41) were moved, it would appear from the arrangement that the upper and lower roller would also move, and similarly, no adjustability would be provided other than the static adjustment gained from the slot (40) which is done whether or not movement would happen. Unlike Ketelhohn, the Applicant's present invention provides an adjusting device which may comprise an element that is disclosed in the figures, such as an eccentric cam or bolt, to raise or lower the structural component. The structural component, such as for an example an anode and wheels, according to the Applicant's invention, is operably held by the carrying frame, and that structural component and carrying frame together may be raised, lowered or pivoted by the adjusting device operation. These features are not found in Ketelhohn,

and attempting to assign correspondence to the Ketelhohn components would not result in anticipation of the Applicant's present invention, nor would it be obvious.

For the above reasons, Applicant's present invention is distinguishable over Ketelhohn and should be patentable. Reconsideration and a withdrawal of the 102(b) rejection is hereby respectfully requested.

Claims 1-12 stand rejected as being unpatentable under 35 US.C. § 103(a) over Schneider (DE 197 17 511 A1) in view of Haas (DE 38 42 835 A1) and Ketelhohn (US 5,002,616). This rejection is respectfully but strenuously traversed. Reconsideration requested in view of the following remarks.

The Examiner contends that Schneider discloses a conveyORIZED horizontal processing line for wet processing a workpiece comprising at least one respective transport member (rollers visible in the figures) extending in a horizontal direction of transport, and at least one processing facility (bath 1) which forms one structural component (transport-und Führrungs-elemente-items 2) above the conveying path.

The Examiner acknowledges that Schneider is deficient of disclosing at least one adjusting device to raise and lower a structural component. The Examiner then relies on Haas. Turning to the Haas reference, again even considering that the Examiner relies on Haas for the disclosure of a structural component (understood to be the wheels of Haas in the Examiner's position in the Office Action), the distinguishing features of the Applicant's invention may be observed by comparing what is actually going on in Haas. In Haas, the arrangement with the frame (9), (109) serves to move the structure (the arms (15), (115)) out of the way of the rollers (5), (105). However, when this component (9),

(109) is moved and the arms (15), (115) are moved out of the way, the structure does not function as the Applicant's carrier to operably hold the structural component (considered in the Office Action to be the Haas wheels (5), (105)). Rather, some other structure in Haas such as a frame, etc., is responsible for operably holding the wheels. According to the Applicant's present invention a novel arrangement is provided where the structural component may continue to be held by the carrying frame even when the carrying frame is raised or lowered by the adjusting device. In addition, the adjusting device of the present invention is important because it may handle features of adjusting rollers or anode positions and may do so in conjunction with a sensor. This provides an improved adjusting capability, such as with the eccentric cam, or as well as with the screw, which may provide fine tuned adjustments in conjunction with the sensor. Workpieces entering the conveying processing line therefore may be sensed to provide information about their thickness as well as other attributes, and that information may be used to control the adjusting device (as cited in some of the dependent claims e.g., claims 3, 4 and 5).

Haas on the other hand, appears to disclose that the wheels (structural component) are operably held on something other than the Applicant's claimed "carrying frame", as it appears in Haas that if the arms (15, 16) comprise the carrying frame, the Haas configuration would appear to move the arms (15, 16) out of engagement with the wheels (what the Examiner considers the structural component), and therefore not hold these wheels for operation. This would not meet the claimed invention of the Applicant, since the Applicant's claimed structural components (Applicant's components e.g., 7 and 3 in the Figs.) would not be disengaged from the carrier, as the carrier holds the structural

components, and, as claimed, does so in a manner in which these structural components are operable. Haas discloses something which appears to teach moving the arms (15, 16) out of engagement with the wheels (what the Examiner considers the "structural component"), and therefore, the Haas wheels would need be supported by something else, and therefore would not be a structural component on a carrier, and not operably held by what is considered to be the Haas carrier (e.g., component (9,109) and arms (15, 115)). Haas does not teach moving the structure which supports (e.g., operably holds) the wheels (structural component).

If Applicant's invention indeed were to follow Haas, it would move the carrier away from the wheels, and then there would no longer be support for the wheels. Haas, if it truly taught what it is credited in the Office Action with disclosing, therefore, when the arms (15, 16) are moved out of engagement with the structural component (the wheels), would fail, as the wheels would not be supported.

For the above reasons, Applicant's claimed invention is distinguishable over the cited references, and Applicant respectfully requests reconsideration and a withdrawal of the outstanding rejections.

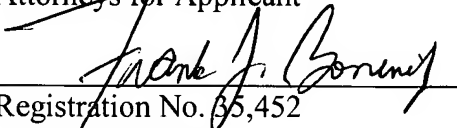
If further matters remain in connection with this case, the Examiner is invited to telephone the Applicant's undersigned representative.

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If an extension of time is needed, the Commissioner is requested to consider this a petition for the appropriate extension.

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